

that apply to the Senior Companion Program are specified in 45 CFR Part 1206.

#### **Subpart D—Senior Companion Eligibility, Status, and Cost Reimbursements**

##### **§ 2551.41 Who is eligible to be a Senior Companion?**

(a) To be a Senior Companion, an individual must:

- (1) Be 60 years of age or older;
  - (2) Be determined by a physical examination to be capable, with or without reasonable accommodation, of serving adults with special needs without detriment to either himself/herself or the adults served;
  - (3) Agree to abide by all requirements as set forth in this part; and
  - (4) In order to receive a stipend, have an income that is within the income eligibility guidelines specified in this subpart D.
- (b) Eligibility to be a Senior Companion shall not be restricted on the basis of formal education, experience, race, religion, color, national origin, sex, age, handicap, or political affiliation.

##### **§ 2551.42 What income guidelines govern eligibility to serve as a stipended Senior Companion?**

(a) To be enrolled and receive a stipend, a Senior Companion cannot have an annual income from all sources, after deducting allowable medical expenses, which exceeds the program's income eligibility guideline for the state in which he or she resides. The income eligibility guideline for each state is the higher amount of either:

- (1) 125 percent of the poverty line as set forth in 42 U.S.C. 9902 (2); or
- (2) 135 percent of the poverty line, in those primary metropolitan statistical areas (PMSA), metropolitan statistical areas (MSA) and non-metropolitan counties identified by the Corporation as being higher in cost of living, as determined by application of the Volunteers in Service to America (VISTA) subsistence rates. In Alaska the guideline may be waived by the Corporation State Director if a project demonstrates that low-income individuals

in that location are participating in the project.

(b) Annual income is counted for the past 12 months and includes the applicant or enrollee's income and that of his/her spouse, if the spouse lives in the same residence. Sponsors shall count the value of shelter, food, and clothing, if provided at no cost by persons related to the applicant, enrollee, or spouse.

(c) Allowable medical expenses are annual out-of-pocket medical expenses for health insurance premiums, health care services, and medications provided to the applicant, enrollee, or spouse which were not and will not be paid by Medicare, Medicaid, other insurance, or other third party payor, and which do not exceed 15 percent of the applicable income guideline.

(d) Applicants whose income is not more than 100 percent of the poverty line shall be given special consideration for enrollment.

(e) Once enrolled, a Senior Companion shall remain eligible to serve and to receive a stipend so long as his or her income, does not exceed the applicable income eligibility guideline by 20 percent.

EFFECTIVE DATE NOTE: At 67 FR 60998, Sept. 27, 2002, § 2551.42 was amended by revising paragraph (b), effective Oct. 28, 2002. For the convenience of the user the revised text follows:

##### **§ 2551.42 What income guidelines govern eligibility to serve as a stipended Senior Companion?**

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(b) For applicants to become stipended Senior Companions, annual income is projected for the following 12 months, based on income at the time of application. For serving stipended Senior Companions, annual income is counted for the past 12 months. Annual income includes the applicant or enrollee's income and that of his/her spouse, if the spouse lives in the same residence. Sponsors shall count the value of shelter, food, and clothing, if provided at no cost by persons related to the applicant, enrollee, or spouse.

##### **§ 2551.43 What is considered income for determining volunteer eligibility?**

(a) For determining eligibility, "income" refers to total cash or in-kind